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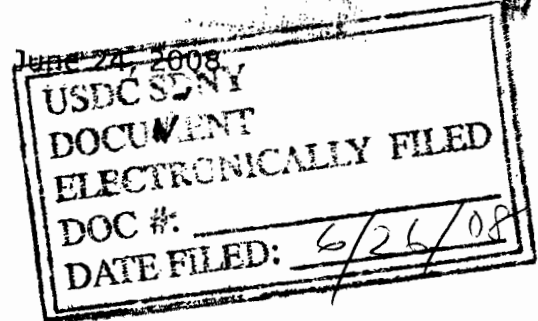
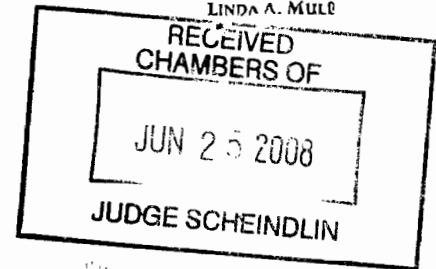
Honorable Shira A. Scheindlin  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 1620  
New York, New York 10007

Re: Ava Acupuncture, P.C., et al. v. State Farm Mutual Automobile  
Insurance Company, et al.  
Case No. 08 CV 5650 {SAS}

Dear Judge Scheindlin:

I write on behalf of all defendants, except for Eric R. Dinallo Superintendent of Insurance State of New York, to request an extension of time to answer or to make any of the pre-answer motions permitted by Federal Rule of Civil Procedure 4. On June 20, 2008, I received a voicemail message from plaintiffs' attorney, Raymond J. Zuppa, The Zuppa Firm, PLLC, consenting to an extension of time.

This is a putative class action, which was commenced in the New York State Supreme Court, New York County, on June 2, 2008 and was personally served upon all defendants between June 2, 2008 and June 6, 2008. A Notice of Removal was filed with this Court on June 23, 2008 by defendants, State Farm Mutual Automobile Insurance Company and Katten Muchin Rosenman, LLP, citizens of Illinois, and Melli, Guerin & Wall, PC, a citizen of New Jersey.



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The complaint is voluminous, containing 789 separately numbered allegations and totaling 223 pages without its appendix. At the time the Notice of Removal was filed, none of the defendants were in default under New York State law. The filing of the removal notice automatically extended defendants' time to answer or move pursuant to FRCP 4 by five business days to Monday, June 30, 2008. See Fed R. Civ. P. 81(c). Given the length and complexity of the complaint, defendants request an extension of 45 days, until August 14, 2008.

A copy of this letter has been sent to counsel for all defendants except the Department of Insurance by email. A copy has been faxed to their counsel, as we do not have an email address. A copy has also been faxed to plaintiffs' counsel, as we have no email address for him. No prior request for an extension has been made except as indicated herein.

Thank you for your consideration.

Respectfully submitted,

MCDONNELL & ADELS, P.C.



Elizabeth Adels

EA/mh

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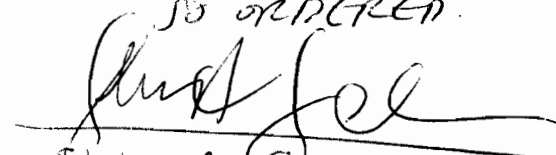
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*Defendants' request  
is granted. Defendants  
may have until  
August 14, 2008 to  
move or answer.*

*Any motion to remand this  
case must be made  
within 30 days after the notice  
of removal as provided by 28 U.S.C. § 1447.  
SO ORDERED.*

*Date: June  
25,  
2008*



*Shira A. Scheindlin,  
USDJ*

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